



Rep. Cynthia Soto

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09500HB2210ham001

LRB095 01140 NHT 47794 a

1 AMENDMENT TO HOUSE BILL 2210

2 AMENDMENT NO. _____. Amend House Bill 2210 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Education for Homeless Children Act is
5 amended by adding Section 1-50 as follows:

6 (105 ILCS 45/1-50 new)

7 Sec. 1-50. Education of Homeless Children and Youth State
8 Grant Program.

9 (a) It is the purpose and intent of this Section to
10 establish a State grant program that parallels and supplements,
11 but operates independently of, the federal grant program
12 allocating funds for assistance under Subtitle B of Title VII
13 of the federal McKinney-Vento Homeless Assistance Act (42
14 U.S.C. 11431 et seq.) and to establish a State grant program to
15 support school districts throughout this State in facilitating
16 the enrollment, attendance, and success of homeless children

1 and youth.

2 (b) Subject to appropriation, the State Board of Education
3 shall award competitive grants under an Education of Homeless
4 Children and Youth State Grant Program to applicant school
5 districts in accordance with this Section. Services provided by
6 school districts through the use of grant funds may not replace
7 the regular academic program and must be designed to expand
8 upon or improve services provided for homeless students as part
9 of the school's regular academic program.

10 (c) A school district that desires to receive a grant under
11 this Section shall submit an application to the State Board of
12 Education at such time, in such manner, and containing or
13 accompanied by such information as the State Board of Education
14 may reasonably require.

15 (d) Grants must be awarded on the basis of the need of the
16 school district for assistance under this Section and the
17 quality of the applications submitted.

18 (1) In determining need under this subsection (d), the
19 State Board of Education may consider the number of
20 homeless children and youths enrolled in preschool,
21 elementary school, and secondary school within the school
22 district and shall consider the needs of such children and
23 youths and the ability of the district to meet such needs.
24 The State Board of Education may also consider the
25 following:

26 (A) The extent to which the proposed use of funds

1 will facilitate the enrollment, retention, and
2 educational success of homeless children and youths.

3 (B) The extent to which the application (i)
4 reflects coordination with other local and State
5 agencies that serve homeless children and youths and
6 (ii) describes how the applicant will meet the
7 requirements of this Act and the federal
8 McKinney-Vento Homeless Education Assistance
9 Improvements Act of 2001.

10 (C) The extent to which the applicant exhibits in
11 the application and in current practice a commitment to
12 education for all homeless children and youths.

13 (D) Such other criteria as the State Board
14 determines is appropriate.

15 (2) In determining the quality of applications under
16 this subsection (d), the State Board of Education shall
17 consider the following:

18 (A) The applicant's assessment of needs and the
19 likelihood that the services presented in the
20 application will meet such needs.

21 (B) The types, intensity, and coordination of the
22 services to be provided.

23 (C) The involvement of parents or guardians of
24 homeless children or youths in the education of these
25 children.

26 (D) The extent to which homeless children and

1 youths are effectively integrated within the regular
2 education program.

3 (E) The quality of the applicant's evaluation plan
4 for the services.

5 (F) The extent to which services provided will be
6 coordinated with other services available to homeless
7 children and youths and their families.

8 (G) Such other measures as the State Board
9 considers indicative of high-quality services, such as
10 the extent to which the school district will provide
11 case management or related services to unaccompanied
12 youths.

13 (e) Grants awarded under this Section shall be for terms
14 not to exceed 3 years, but are subject to annual appropriation
15 for the Education of Homeless Children and Youth State Grant
16 Program. School districts shall use funds awarded under this
17 Section only for those activities set forth in Section 723(d)
18 of Subtitle B of Title VII of the McKinney-Vento Homeless
19 Assistance Act of 1987 (42 U.S.C. 11433(d)).

20 (f) Notwithstanding any other rulemaking authority that
21 may exist, neither the Governor nor any agency or agency head
22 under the jurisdiction of the Governor has any authority to
23 make or promulgate rules to implement or enforce the provisions
24 of this amendatory Act of the 95th General Assembly. If,
25 however, the Governor believes that rules are necessary to
26 implement or enforce the provisions of this amendatory Act of

1 the 95th General Assembly, the Governor may suggest rules to
2 the General Assembly by filing them with the Clerk of the House
3 and the Secretary of the Senate and by requesting that the
4 General Assembly authorize such rulemaking by law, enact those
5 suggested rules into law, or take any other appropriate action
6 in the General Assembly's discretion. Nothing contained in this
7 amendatory Act of the 95th General Assembly shall be
8 interpreted to grant rulemaking authority under any other
9 Illinois statute where such authority is not otherwise
10 explicitly given. For the purposes of this amendatory Act of
11 the 95th General Assembly, "rules" is given the meaning
12 contained in Section 1-70 of the Illinois Administrative
13 Procedure Act, and "agency" and "agency head" are given the
14 meanings contained in Sections 1-20 and 1-25 of the Illinois
15 Administrative Procedure Act to the extent that such
16 definitions apply to agencies or agency heads under the
17 jurisdiction of the Governor."